

## REMARKS

The applicants originally submitted claims 1-20 in this application. The applicants have amended claims 1, 8 and 15, and canceled claims 2, 3, 9, 10 and 16. Thus, claims 1, 4-8, 11-15, and 17-20 remain pending in this application.

### Claim Objections

The Examiner objected to claim 8 because of a missing colon in line 1 after the word comprising. The applicants have amended claim 8 by inserting a colon after the word comprising in line 1. The applicants respectfully submit that the objection is overcome in view of the amendment and respectfully request that the Examiner withdraw the objection.

### Claim Rejections – 35 U.S.C. §102

The Examiner rejected claims 1-19 under 35 U.S.C. §102(e) as being anticipated by Putnam et al. (US Patent No. 6,594,288). The applicants have amended independent claims 1, 8 and 15 to clarify existing distinctions between the applicants' invention as recited in those claims and the cited art, including Putnam et al.

More specifically, the applicants have amended independent claims 1, 8 and 15 to clarify that the output coupler includes a metal coating that allows the reflectivity of the output coupler to vary in response to applying stress, heat or electrical power. Support for the amendments is found in the applicants' specification, e.g., at page 7, lines 15-26.

Nothing in Putnam et al. or any of the other cited art teaches or disclose an optical device having such a variable output coupler. Putnam et al. disclose a tunable Raman laser having a plurality of reflective gratings written into a bulk waveguide. The waveguide is configured to vary the reflection wavelength of the gratings in response to physical compression of the waveguide. Nothing in Putnam et al. teaches or suggests a variable output coupler having a metal coating that varies the reflectivity of an output coupler in response to applying stress, heat or electrical power. Accordingly, the applicants' invention as recited

in amended claims 1, 8 and 15 is neither taught nor suggested by Putnam et al. or any of the other cited art.

The applicants' dependent claims 4-7, 11-14 and 17-20 depend directly or indirectly from independent claims 1, 8 and 15, respectively, and incorporate all of the features of their respective independent claim and thus are allowable at least for that reason. Moreover, claims 4-7, 11-14 and 17-20 recite other features that, when combined with the subject matter of their respective independent claim, are not shown in the art of record.

Thus, in view of the amendments to independent claims 1, 8 and 15 discussed hereinabove, the applicants respectfully request that the Examiner withdraw the rejection of claims 1-19 under 35 U.S.C. §102(e).

### Claim Allowance

The Examiner indicated that claim 20 is allowed.

The applicants submit that all claims now are in patentable form, and respectfully urge that all the claims be allowed and the application be passed to issue. If the Examiner disagrees, the Examiner is invited to call the attorney for the applicants at the telephone number provided below.

Respectfully submitted,

Jean-Christophe Bouteiller  
Benjamin John Eggleton  
Clifford Headley  
Paul Steinurzel

By:



Michael A. Morra, Attorney  
Reg. No. 28975  
(770) 798-2040

Date: 2/18/04  
Fitel USA Corp.  
Docket Administrator  
2000 Northeast Expressway  
Suite 2H02  
Norcross, GA 30071-2906